

AMENDED IN SENATE JUNE 10, 2010
AMENDED IN SENATE MAY 19, 2010
AMENDED IN SENATE MARCH 8, 2010
AMENDED IN SENATE AUGUST 25, 2009
AMENDED IN SENATE JULY 23, 2009
AMENDED IN SENATE JULY 14, 2009
AMENDED IN SENATE JUNE 23, 2009
AMENDED IN SENATE JUNE 11, 2009
AMENDED IN ASSEMBLY MARCH 24, 2009
AMENDED IN ASSEMBLY FEBRUARY 10, 2009
CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 33

Introduced by Assembly Members Nava and Cook

December 1, 2008

An act *to amend Section 14202 of, and to add Section 13519.07 to, the Penal Code, relating to missing persons.*

LEGISLATIVE COUNSEL'S DIGEST

AB 33, as amended, Nava. ~~Commission on Peace Officer Standards and Training: missing children. Child abduction: sex offender identification.~~

Existing law requires the Attorney General establish and maintain the Violent Crime Information Center to assist in the identification and

the apprehension of persons responsible for specific violent crimes and for the disappearance and exploitation of persons, particularly children and dependent adults.

This bill would require the center to make available, within 2 hours of a reported stranger abduction of a child, a list of persons required to register as sex offenders based on the method of operation of the sex offenders or the specified geographical location from which the child was taken.

Existing law establishes the Commission on Peace Officer Standards and Training within the Department of Justice. Under existing law, the commission is required to develop and implement training for peace officers relative to certain areas of criminal law or procedure. ~~Existing law requires the commission to implement a course or courses of instruction for the training of law enforcement officers and law enforcement dispatchers in the handling of missing person and runaway cases and to develop guidelines for law enforcement response to missing person and runaway cases.~~

~~This bill would require the commission to develop uniform, minimum guidelines, and to make those available for adoption by California law enforcement agencies, regarding the response to cases of missing children and the reporting of missing children. The bill would require the commission to implement a course or courses of instruction for the training of law enforcement officers regarding cases of missing children and the reporting of missing children. This bill would require the Child Abduction Task Force, under the California Emergency Management Agency, to submit its missing children course to the commission for certification.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 **SECTION 1.** *It is the intent of the Legislature to encourage*
- 2 *law enforcement agencies to obtain and utilize the list, created*
- 3 *pursuant to Section 14202 of the Penal Code, of registered sex*
- 4 *offenders from the Violent Crime Information Center in the event*
- 5 *of a reported stranger abduction of a child.*
- 6 **SECTION 1.**
- 7 **SEC. 2.** Section 13519.07 is added to the Penal Code, to read:

1 13519.07. (a) ~~The Legislature suggests that each law~~
2 ~~enforcement agency adopt, promulgate, and offer training~~
3 ~~consistent with an agency's specific policy regarding missing~~
4 ~~children and the reporting of missing children that, at a minimum,~~
5 ~~complies with the commission's guidelines, developed pursuant~~
6 ~~to this bill, when these guidelines become available.~~

7 ~~(b) It is the intent of the Legislature that, within two hours of~~
8 ~~the reported abduction of a child, law enforcement be provided~~
9 ~~with a list of persons required to register as sex offenders residing~~
10 ~~within a five-mile radius from the place from which the child was~~
11 ~~believed to have been abducted.~~

12 ~~(c) The commission shall develop uniform, minimum guidelines,~~
13 ~~and make those available for adoption by California law~~
14 ~~enforcement agencies, regarding the response to cases of missing~~
15 ~~children and the reporting of missing children.~~

16 ~~(d) The commission shall implement a course or courses of~~
17 ~~instruction for the training of law enforcement officers regarding~~
18 ~~cases of missing children and the reporting of missing children..~~

19 *SEC. 3. Section 14202 of the Penal Code is amended to read:*

20 14202. (a) The Attorney General shall establish and maintain
21 within the center an investigative support unit and an automated
22 violent crime method of operation system to facilitate the
23 identification and apprehension of persons responsible for murder,
24 kidnap, including parental abduction, false imprisonment, or sexual
25 assault. This unit shall be responsible for identifying perpetrators
26 of violent felonies collected from the center and analyzing and
27 comparing data on missing persons in order to determine possible
28 leads which could assist local law enforcement agencies. This unit
29 shall only release information about active investigations by police
30 and sheriffs' departments to local law enforcement agencies.

31 (b) The Attorney General shall make available to the
32 investigative support unit files organized by category of offender
33 or victim and shall seek information from other files as needed by
34 the unit. This set of files may include, among others, the following:

35 (1) Missing or unidentified, deceased persons' dental files filed
36 pursuant to this title, Section 27521 of the Government Code, or
37 Section 102870 of the Health and Safety Code.

38 (2) Child abuse reports filed pursuant to Section 11169.

39 (3) Sex offender registration files maintained pursuant to Section
40 290.

1 (4) State summary criminal history information maintained
2 pursuant to Section 11105.

3 (5) Information obtained pursuant to the parent locator service
4 maintained pursuant to Section ~~11478.5~~ 11478.1 of the Welfare
5 and Institutions Code.

6 (6) Information furnished to the Department of Justice pursuant
7 to Section 11107.

8 (7) Other Attorney General's office files as requested by the
9 investigative support unit.

10 ~~This section shall become operative on July 1, 1989.~~

11 (c) *The center shall make available, within two hours of a*
12 *reported stranger abduction of a child, a list of persons required*
13 *to register as sex offenders based upon the modus operandi, or*
14 *the specified geographical location from which the child was*
15 *abducted.*

16 SEC. 4. *The Child Abduction Task Force, under the California*
17 *Emergency Management Agency, shall submit its missing children*
18 *course to the Commission on Peace Officer Standards and Training*
19 *for certification.*